

HOUSE SUBSTITUTE AMENDMENT NO. \_\_\_\_\_

for

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

Offered By

AMEND House Committee Substitute for Senate Bill No. 23, Page 8, Section 32.087, Line 191, by inserting after all of said line the following:

"64.196. 1. After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance so adopted shall conflict with liquefied petroleum gas installations governed by section 323.020."

Further amend said bill, Page 77, Section 302.525, Line 60, by inserting after all of said line the following:

"323.100. 1. The director of the department of agriculture shall annually inspect and test all liquid meters used for the measurement and retail sale of liquefied petroleum gas and shall condemn all meters which are found to be inaccurate. All meters shall meet the tolerances and specifications of the National Institute of Standards and Technology Handbook 44, 1994 edition and supplements thereto. It is unlawful to use a meter for retail measurement and sale which has been condemned. All condemned meters shall be conspicuously marked "inaccurate", and the mark shall not be removed or defaced except upon authorization of the director of the department of agriculture or his authorized representative. It is the duty of each person owning or in possession of a meter to pay to the director of the department of agriculture at the time of each test a testing fee of ten dollars[, except that the testing fee herein provided for shall not be applied more than once in a calendar year to each meter tested]. On January 1, 2014, the testing fee shall be twenty-five dollars. On January 1, 2015, the testing fee shall be set at fifty dollars. On January 1, 2016, and annually thereafter, the director shall ascertain the total expenses for administering this section and shall set the testing fee at a rate to cover the expenses for the ensuing year but not to exceed seventy-five dollars.

2. On the first day of October 2014, and each year thereafter, the director of the department of agriculture shall submit a report to the general assembly that states the current testing fee, the expenses for administering this section for the previous calendar year, any proposed change to the testing fee, and estimated expenses for administering this section during the ensuing year. The proposed change to the testing fee shall not yield revenue greater than the total cost of administering this section during the ensuing year.

3. Beginning August 28, 2013, and each year thereafter, the director of the department of agriculture shall publish the testing fee schedule on the departmental website. The website shall be

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

updated within thirty days of a change in the testing fee schedule set forth in this section."; and

Further amend said bill, Page 87, Section 348.274, Line 140, by inserting after all of said line the following:

"413.225. 1. There is established a fee for registration, inspection and calibration services performed by the division of weights and measures. The fees are due at the time the service is rendered and shall be paid to the director by the person receiving the service. The director shall collect fees according to the following schedule and shall deposit them with the state treasurer into [general revenue for the use of the state of Missouri] the agriculture protection fund as set forth in section 261.200:

(1) From August 28, [1994] 2013, until the next January first, laboratory fees for metrology calibrations shall be at the rate of [twenty-five] sixty dollars per hour for tolerance testing [and thirty-five dollars per hour for] or precision calibration. Time periods over one hour shall be computed to the nearest one quarter hour. On the first day of January, [1995] 2014, and each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for the metrology calibrations during the preceding year and shall fix a fee schedule for the ensuing year at a rate per hour [which shall not exceed sixty dollars per hour for either method but shall not be less than twenty-five dollars per hour for tolerance testing and thirty-five dollars per hour for precision calibration,] as will yield revenue not more than the total cost of operating the metrology laboratory during the ensuing year, but not to exceed one hundred twenty-five dollars;

(2) [From August 28, 1994, until the next January first,] All [scale] device test fees [shall be] charged [as follows] shall include, but not be limited to, the following devices:

(a) Small scales [shall be five dollars for each counter scale, ten dollars for platform scales up to one thousand-pound capacity, and twenty dollars for each platform scale over one thousand-pound capacity];

(b) Vehicle scales [shall be fifty dollars each for the initial test and seventy-five dollars for each subsequent test within the same calendar year];

(c) Livestock scales [shall be seventy-five dollars each for the initial test, and one hundred dollars for each subsequent test within the same calendar year];

(d) Hopper scales [with a capacity of one thousand pounds or less shall be ten dollars each; for each hopper scale with a capacity of more than one thousand pounds up to and including two thousand pounds, the fee shall be twenty dollars; for each hopper scale with a capacity of more than two thousand pounds up to and including ten thousand pounds, the fee shall be fifty dollars; and for those hopper scales with a capacity of more than ten thousand pounds, the test fee shall be seventy-five dollars each];

(e) Railroad scales [shall be fifty dollars each];

(f) Monorail scales [shall be twenty-five dollars each for the initial test and fifty dollars for each subsequent test in the same calendar year];

(g) [Participation in on-site field evaluations of devices for National Type Evaluation Program certification and all tests of] In-motion scales including but not limited to vehicle, railroad and belt conveyor scales [will be charged at the rate of thirty dollars per hour, plus mileage from the inspector's official domicile to and from the inspection site. The time shall begin when the state inspector performing the inspection arrives at the site to be inspected and shall end when the final report is signed by the owner/operator and the inspector departs];

[(3) From August 28, 1994, until the next January first, certification of]

(h) Taximeters [shall be five dollars per meter];

1 (i) Timing devices[, five dollars per device];  
 2 (j) Fabric-measuring devices[,] ;  
 3 (k) Wire- and cordage-measuring devices[, five dollars per device];  
 4 (l) Milk for quantity determination[, twenty-five dollars per plant inspected]; and  
 5 [(4) From August 28, 1994, until the next January first, certification of]  
 6 (m) Vehicle tank meters [shall be twenty-five dollars each for the initial test and fifty dollars  
 7 for each subsequent test in the same calendar year];

8 (3) Devices that require participation in on-site field evaluations for National Type  
 9 Evaluation Program Certification and all tests of in-motion scales shall be charged a fee, plus  
 10 mileage from the inspector's official domicile to and from the inspection site. The time shall begin  
 11 when the state inspector performing the inspection arrives at the site to be inspected and shall end  
 12 when the final report is signed by the owner/operator and the inspector departs;

13 [(5)] (4) Every person shall register each location of such person's place of business where  
 14 devices or instruments are used to ascertain the moisture content of grains and seeds offered for sale,  
 15 processing or storage in this state with the director and shall pay a registration fee [of ten dollars] for  
 16 each location so registered and a fee [of five dollars] for each additional device or instrument at such  
 17 location. Thereafter, by January thirty-first of each year, each person who is required to register  
 18 pursuant to this subdivision shall pay an annual fee [of ten dollars] for each location so registered  
 19 and an additional [five dollars] fee for each additional machine at each location. The fee on newly  
 20 purchased devices shall be paid within thirty days after the date of purchase. Application for  
 21 registration of a place of business shall be made on forms provided by the director and shall require  
 22 information concerning the make, model and serial number of the device and such other information  
 23 as the director shall deem necessary. Provided, however, this subsection shall not apply to  
 24 moisture-measuring devices used exclusively for the purpose of obtaining information necessary to  
 25 manufacturing processes involving plant products. In addition to fees required by this subdivision, a  
 26 fee [of ten dollars] shall be charged for each device subject to retest.

27 2. On the first day of January, 1995, and each year thereafter, the director of agriculture shall  
 28 ascertain the total receipts and expenses for the testing of weighing and measuring devices referred  
 29 to in subdivisions (2), (3), and (4) [and (5)] of subsection 1 of this section and shall fix the fees or  
 30 rate per hour for such weighing and measuring devices to derive revenue not more than the total cost  
 31 of the operation[, but such fees shall not be fixed in amounts less than the amounts contained in  
 32 subdivisions (2), (3), (4) and (5) of subsection 1 of this section].

33 3. [Except as indicated in paragraphs (b), (c), and (f) of subdivision (2) and subdivisions (4)  
 34 and (5) of subsection 1,] On the first day of October 2014, and each year thereafter, the director of  
 35 the department of agriculture shall submit a report to the general assembly that states the current  
 36 laboratory fees for metrology calibration, the expenses for administering this section for the previous  
 37 calendar year, any proposed change to the laboratory fee structure, and estimated expenses for  
 38 administering this section during the ensuing year. The proposed change to the laboratory fee  
 39 structure shall not yield revenue greater than the total cost of administering this section during the  
 40 ensuing year.

41 4. Beginning August 28, 2013, and each year thereafter, the director of the department of  
 42 agriculture shall publish the laboratory fee schedule on the departmental website. The website shall  
 43 be updated within thirty days of a change in the laboratory fee schedule set forth in this section.

44 5. Retests for any device within the same calendar year will be charged at the same rate as  
 45 the initial test. Devices being retested in the same calendar year as a result of rejection and repair are  
 46 exempt from the requirements of this subsection.

47 [4.] 6. All device inspection fees shall be paid within thirty days of the issuance of the  
 48 original invoice. Any fee not paid within ninety days after the date of the original invoice will be

1 cause for the director to deem the device as incorrect and it may be condemned and taken out of  
2 service, and may be seized by the director until all fees are paid.

3 [5.] 7. No fee provided for by this section shall be required of any person owning or  
4 operating a moisture-measuring device or instrument who uses such device or instrument solely in  
5 agricultural or horticultural operations on such person's own land, and not in performing services,  
6 whether with or without compensation, for another person."; and

7  
8 Further amend said bill by amending the title, enacting clause, and intersectional references  
9 accordingly.